

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROBERT ALAN FRATTA,
Petitioner,

VS. § CIVIL ACTION NO. H-05-3392

NATHANIEL QUARTERMAN,
Director, Texas Department of
Criminal Justice, Correctional
Institutions Division,
Respondent

FINAL JUDGMENT

In accordance with the Court's Order of even date, Petitioner Robert Alan Fratta's Petition for Writ of Habeas Corpus is provisionally **GRANTED** with respect to his claims involving the admission of hearsay testimony at his trial. Respondent Nathaniel Quarterman, Director, Texas Department of Criminal Justice, Correctional Institutions Division, shall release Petitioner Robert Alan Fratta from custody unless within 180 days the State of Texas initiates new criminal proceedings against him. With the exception of the aforementioned issues, Petitioner Robert Alan Fratta's Petition for Writ of Habeas Corpus is **DENIED**. This Court **DENIES** a Certificate of Appealability.

This is a final judgment.

Signed at Houston, Texas, this 28th day of September, 2007.

Philip Haas

MELINDA HARMON
UNITED STATES DISTRICT JUDGE